

January 20, 2009

TO: Members of the MAG Regional Council

FROM: Councilmember Peggy Neely, Phoenix, Vice Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.

Wednesday, January 28, 2009  
MAG Office, Suite 200 - Saguaro Room  
302 North 1<sup>st</sup> Avenue, Phoenix

Dinner - 6:30 p.m.

MAG Office, Suite 200

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL  
TENTATIVE AGENDA  
January 28, 2009**

	<b><u>COUNCIL ACTION REQUESTED</u></b>
1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u>  An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u>  The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u>  Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).	5. Approval of the Consent Agenda.

**ITEMS PROPOSED FOR CONSENT\***

**MINUTES**

*5A. <u>Approval of the December 3, 2008, Meeting Minutes</u>	5A. Review and approval of the December 3, 2008, meeting minutes.
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**TRANSPORTATION ITEMS**

- \*5B. Appointment of Mayor Jim Lane, City of Scottsdale, to Serve as One of the Seven Largest Cities/Towns Elected Officials on the Transportation Policy Committee

The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns. In June 2008 the Regional Council appointed the list of TPC members. Since that time, the City of Scottsdale seat has become vacant. Mayor Jim Lane from the City of Scottsdale has expressed interest in serving as Scottsdale's representative on the TPC. The appointment of Mayor Jim Lane to the TPC by the Regional Council as one of the seven largest cities/towns elected officials is requested. Please refer to the enclosed material.

- \*5C. Project Changes – Amendments, and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program, FY 2009 Arterial Life Cycle Program, and Material Cost Changes to the ADOT Program

The FY 2008-2012 Transportation Improvement Program (TIP) was approved by the MAG Regional Council on July 25, 2007, and the FY 2009 Arterial Life Cycle Program (ALCP) was approved by the MAG Regional Council on June 25, 2008. Since that time, there have been requests from member agencies to modify projects in the programs. The proposed amendments and administrative modifications to the FY 2008-2012 TIP and the FY 2009 ALCP are listed in the enclosed tables. An administrative modification does not require a conformity determination. In addition, Table A notes the material cost changes related to cost increases to the ADOT Program. The Pedestrian Working Group, the Regional Bicycle Task Force, the MAG ITS Committee, the Transportation Review Committee, the MAG Management Committee, and the MAG Regional Council have taken various actions on the projects listed in the tables. This item is on the January 23, 2009,

- 5B. Appointment of Mayor Jim Lane as the one of the seven largest cities/towns elected officials on the Transportation Policy Committee.

- 5C. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, the FY 2009 Arterial Life Cycle Program, as appropriate, to the Regional Transportation Plan 2007 Update, and material cost changes to the ADOT Program as shown in the attached tables.

Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

### AIR QUALITY ITEMS

\*5D. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on conformity assessments for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program. The proposed amendment involves several projects, including the addition of Arizona Department of Transportation MAG Proposition 400 noise mitigation projects. The proposed administrative modification involves several projects, including funding changes to an Arizona Department of Transportation project on Interstate-10 and Gilbert intersection improvements at Guadalupe Road and Cooper Road. The amendment includes projects that are exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. Comments on the conformity assessments are requested by January 23, 2009. Please refer to the enclosed material.

5D. Consultation.

\*5E. Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2009 CMAQ Funding

The FY 2009 MAG Unified Planning Work Program and Annual Budget and the FY 2008-2012 MAG Transportation Improvement Program contain \$1,210,000 in Congestion Mitigation and Air Quality (CMAQ) Funds for the purchase of PM-10 certified street sweepers. PM-10 certified street sweeper projects were solicited from member agencies in the Maricopa County PM-10 nonattainment area and 15 applications requesting \$2.7 million in federal funds were received. On December 11, 2008, the MAG Air Quality Technical Advisory Committee (AQTAC) made a recommendation on a prioritized list of proposed PM-10 certified street sweeper projects for FY 2009 CMAQ funding. Prior to the AQTAC recommendation, the MAG Street Committee reviewed the proposed street

5E. Approval of a prioritized list of proposed PM-10 Certified Street Sweeper Projects for FY 2009 CMAQ funding and retain the prioritized list for any additional FY 2009 CMAQ funds that may become available due to year-end closeout, including any redistributed obligation authority, or additional funding received by this region.

sweeper applications on October 16, October 22, and November 12, 2008, in accordance with FY 2009 Draft MAG Federal Fund Programming Principles. On January 14, 2009, the MAG Management Committee concurred with the MAG AQTAC recommendation. Please refer to the enclosed material.

### GENERAL ITEMS

\*5F. Ratification of the Annual Performance Review and Compensation Benefits of the MAG Executive Director

In January 2003, the Regional Council approved an agreement to hire the current Executive Director. As part of this agreement, it was provided that the Executive Director would receive an annual performance review conducted by the Executive Committee. As part of the evaluation, in November 2008, a questionnaire was sent to the members of the Regional Council to comment on the performance of the Executive Director. On January 20, 2009, the Executive Committee reviewed the comments from the Regional Council, discussed the performance of the Executive Director, and took action regarding the compensation/benefits of the Executive Director. The action of the Executive Committee is being presented to the Regional Council for ratification. Please refer to the enclosed material.

\*5G. Maricopa Region Community Emergency Notification System (CENS)/Reverse 9-1-1 Standard Operating Procedures

When the current service provider for the region's Community Emergency Notification System (CENS) informed Maricopa Region 9-1-1 that it would no longer continue to provide this service, a procurement process was conducted for a new vendor. Plant CML, whose product is Reverse 9-1-1, was selected to provide this service. It is necessary to update the standard operating procedures, which were approved by the MAG Regional Council in 2003, to accommodate the new product. A multi-agency team has developed draft standard operating

5F. Ratify the action of the Executive Committee regarding the compensation/benefits of the MAG Executive Director.

5G. Approval of the Maricopa Region Community Emergency Notification System (CENS)/Reverse 9-1-1 Standard Operating Procedures.

procedures for the new system. The MAG PSAP Managers Group, the MAG 9-1-1 Oversight Team, and the MAG Management Committee reviewed and recommended approval of the draft procedures. Please refer to the enclosed material.

\*5H. Discussion of the Development of the FY 2010 MAG Unified Planning Work Program and Annual Budget

Each year, the Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in the spring and approved by the Regional Council in May. This overview of MAG's draft Dues and Assessments and the proposed budget production timeline provides an opportunity for early input into the development of the Work Program and Budget. Please refer to the enclosed material.

\*5I. MAG Socioeconomic Projections to 2035

In accordance with Executive Order 95-2, MAG prepares subregional socioeconomic projections. These projections are used as input into transportation and air quality models. The 2007 MAG Socioeconomic Projections for population, housing and employment by Municipal Planning Area (MPA) and Regional Analysis Zone (RAZ) for July 1, 2010, 2020, and 2030 were approved by the MAG Regional Council in May 2007. A 25-year planning horizon consistent with the 2007 projections is needed to support potential transportation planning projects. MAG needs to extend the 2007 set of projections to 2035 by using the Control Totals for 2035 consistent with the 2005 Special Census and adopted by the MAG Regional Council in December 2006. The MAG Population Technical Advisory Committee (POPTAC) approved the use of base data and methods consistent with the 2007 Socioeconomic Projections to extend the projections by MPA and RAZ to 2035 and have reviewed and provided comments on the draft 2035 projections. The POPTAC and the MAG Management Committee recommended approval of the extension of the

5H. Information and input on the development of the FY 2010 MAG Unified Planning Work Program and Annual Budget.

5I. Approval of the extension of the 2007 MAG Socioeconomic Projections to 2035 for resident population, housing and employment by Municipal Planning Area (MPA) and Regional Analysis Zone (RAZ).

MAG 2007 Socioeconomic Projections to 2035 for resident population, housing and employment by MPA and RAZ. Please refer to the enclosed material.

\*5J. The 2009 Set of International Codes

At the November 2008 MAG Building Codes Committee (BCC) meeting, members discussed an initiative to reach consensus in unison on the 2009 International Codes, prior to the jurisdiction adoption of these codes. These codes include: building, mechanical, plumbing, electric, residential, fire, energy, fuel, and performance. The MAG BCC makes recommendations on the development, interpretation and enforcement of building codes in the MAG region. It also provides a regional forum for construction, development, and other issues as they relate to building codes. In an effort to promote uniformity throughout MAG jurisdictions under the purview of life safety a motion was passed to recommend that each jurisdiction consider adopting the 2009 family of International codes as published by the International Code Council (ICC). The MAG Management Committee recommended that each jurisdiction consider adopting the 2009 family of International Codes as published by the ICC. Please refer to enclosed material.

- 5J. Recommend that each jurisdiction consider adopting the 2009 family of International Codes as published by the International Code Council (ICC).

## ITEMS PROPOSED TO BE HEARD

### TRANSPORTATION ITEMS

6. Transportation Planning Update

Staff will present an update of the financial status of the MAG Freeway Program, introduce the peer review process that is currently underway to look at the planned freeway projects in the central area, and provide a summary of the specific corridors and project components that could be changed or delayed as updates to the Regional Transportation Plan, and revised schedule for the freeway program update process.

6. Information and discussion.

7. Proposal to Advance a Portion of the Williams Gateway Freeway

Mesa has requested consideration of a proposal to advance a portion of the planned Williams Gateway Freeway. The advanced project would build the ramp connections with the Santan Freeway and a connection to Ellsworth Road. When completed, the project would provide a better connection to the planned new entrance on the east side of the Phoenix - Mesa Gateway Airport. The attached summary shows the requested advancements for the design, right of way, and construction phases of the project. Mesa has proposed issuing Highway Project Advancement Notes (HPAN), which are secured by the city's excise tax, to fund the accelerated construction. Since Mesa would be issuing the debt, there is no impact on the freeway program's financing capacity. The interest expense on the debt would be divided equally between the Freeway Program and Mesa as stated in the MAG Highway Acceleration Policy adopted February 27, 2008. Mesa has requested that the \$20.4 million of Statewide Transportation Acceleration Needs (STAN) funding that was approved by the MAG Regional Council for right of way acquisition for the freeway be used to cover the interest expense on the financing. Mesa has proposed that 50 percent of the STAN funds would be used to offset the city's interest obligation and the remaining 50 percent be used to offset the Program interest. According to the proposal, the net interest cost to Mesa would be \$9.611 million and the Program share would be the same at \$9.611 million. Mesa understands and agrees that if the schedule for the project is delayed due to higher program costs or lower program revenues, the reimbursement to Mesa would be delayed as other projects are also delayed. The Program share of the interest cost represents an additional cost to the Program, however, this additional cost would be offset by the accelerated construction of the project. The MAG Management Committee recommended approval of the proposal. This item is on the January 23, 2009, Transportation Policy Committee agenda. An update will be provided

7. Approval of the Mesa request to advance the design, right of way and construction of an interim connection of the Williams Gateway Freeway between the Santan Freeway and Ellsworth Road by approximately three years to be incorporated into the draft FY 2010 to FY 2014 MAG Transportation Improvement Program and the Regional Transportation Plan for a conformity analysis and that the STAN funds allocated to the Williams Gateway Freeway for right of way acquisition be used instead to pay for the interest expense associated with the proposed acceleration, that the request for the change in the use of the STAN funds be forwarded to the State Transportation Board for consideration, and authorize the MAG Executive Director to enter into an agreement with ADOT and Mesa.



on action taken by the Committee. Please refer to the enclosed material.

### GENERAL ITEMS

8. Election of MAG Regional Council Chair and Executive Committee Vacancy(ies)

As a result of recent elections, the Chair position for the MAG Regional Council has become vacant. The MAG By-Laws provide that the Regional Council fills a vacancy on the Board by electing a successor to serve for the remainder of the unexpired term. The MAG By-Laws also provide that the Regional Council fills a vacancy on the Executive Committee following the same procedure. Nomination of the Chair and vacancy(ies) on the Executive Committee will be considered to fill the unexpired portion of the term (June 30, 2009).

9. Status Update on the June 30, 2008 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2008

The public accounting firm of Cronstrom, Osuch, & Company, P.C. has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2008. An unqualified audit opinion was issued on November 10, 2008 on the financial statements of governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings. No new or repeat Management Letter comments were issued for the fiscal year ended June 30, 2008. The MAG Management Committee and

8. Elect the Chair of the MAG Regional Council and fill the vacancy(ies) on the Regional Council Executive Committee for the unexpired portion of the term (June 2009).

9. Acceptance of the audit opinion issued on the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2008.

the MAG Regional Council Executive Committee recommended acceptance. Please refer to the enclosed material.

10. Legislative Update

Recently Congress has been considering a legislative package to boost the national economy. Staff will provide an update on these Congressional efforts and steps member agency and MAG staff have taken to address potential legislation.

11. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

10. Information and discussion.

11. Information.